XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(21)

मामला क्रमांक M.A.(C) 409 सन् 2007

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

M.A. (C) NO. 409/2007

Appellant (Claimant) : Kali Ram,
S/o Anandi Verma,
Aged about 60 years,
R/o Village – Nawapara, P.S. – Bhatapara (Village), Tehsil – Bhatapara, Dist : Raipur – (C.G.)

VERSUS

Respondents (Non-Claimants) :

1. Shiv Kumar Kashyap,,
S/o Khedu Ram Kashyap,
aged about 46 years,
R/o Village – Kesda, P.S. & Tehsil – Simgha, Distt. Raipur (C.G.)

2. Sr. Divl. Manager,
The Oriental Insurance Co. Ltd.,
Mandal Office No. 1,
Kacheri Chowk, Raipur,
Dist : Raipur (C.G.)

4.4.2007

Shri A.S. Rajput, counsel for the appellant.

This is the claimant's appeal for enhancement of the award as only a sum of Rs.3,200/- h as been awarded to

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the claimant who sustained injuries in a motor vehicle accident.

From perusal of paragraph 23 of the impugned award it is observed that the claimant had suffered simply injuries and he has not submitted any valid expenditure receipt for the treatment which he had undergone and accordingly, the claimant was held entitled to receive a compensation of Rs. 8,000/- under various heads. The learned Tribunal further considering the contributory negligence of driver of the vehicle Devkumar and the fact that the claimant has not arrayed Devkumar as non-applicant in his claim petition, awarded a sum of Rs.3,200/- as compensation.

The reasoning assigned by the learned Tribunal is just and proper and there is no substance in the instant appeal. Accordingly, the appeal being devoid of substance is hereby dismissed.

Sd/-
Dhirendra Mishra
Judge